IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Company Application No.27 of 2006

In

Company Application No.99 of 2005

In

Company Appeal No.7 of 2005

(Arising out of OLR No.59 of 2003)

(Jagdishprasad Goenka v. Official Liquidator and others)
Applicant : The Collector, Wardha, District Wardha.

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.

Court's or Judge's orders

Smt. B.H. Dangre, AGP for Applicant.

Coram : A.H. Joshi & R.C. Chavan, JJ.
Dated : 24th July, 2007

1. This Court had passed order on 27-6-2007 and directed the State to specify as to whether the State would claim resumption of land or unearned income.

2. In response to this direction, an affidavit-in-reply is filed by the State on 3-7-2007 clarifying that the Government is entitled to claim unearned income as per Rule 31(2)(c) of the Maharashtra Land Revenue (Disposal of Government Land) Rules, 1971 only. In view of this, how the question as to

the distribution and payment including of the dues of the Government is a matter to be decided and done by the Official Liquidator under the supervision of the Company Judge, and not in appeal.

3. The application is, therefore, transferred for decision according to law to the Company Judge, on retaining its copy for reference.

JUDGE. **JUDGE.**

Pdl.